

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

TERRY M. LOMAN, Sr.

Plaintiff,

vs.

DANNY DODSON and

BOB SIMMONS,

Defendants.

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Case number 1:06cv0120 TCM

MEMORANDUM AND ORDER

This pro se 42 U.S.C. § 1983 action is before the undersigned on the motion of plaintiff, Terry M. Loman, Sr., for appointment of counsel. [Doc. 4]

Plaintiff alleges in his complaint and supplemental complaint that Defendants have violated his constitutional rights by being deliberately indifferent to his serious medical needs. Plaintiff alleges in his motion for appointment of counsel that he is financially unable to retain counsel and has been unable to obtain one otherwise. Defendants have not yet been served.

At this stage in the proceedings, the Court finds the factual allegations and legal issues are not complex. Moreover, the complaint and supplemental complaint are articulate. The Court concludes that the appointment of counsel would not be beneficial to the Court or to Plaintiff. See **Plummer v. Grimes**, 87 F.3d 1032, 1033 (8th Cir. 1996); **Swope v. Cameron**, 73 F.3d 850, 852 (8th Cir. 1996); **Rayes v. Johnson**, 969 F.2d 700, 703 (8th Cir. 1992).

Accordingly, for the foregoing reasons,

IT IS HEREBY ORDERED that Plaintiff's motion for the appointment of counsel is **DENIED**. [Doc. 4]

/s/ Thomas C. Mummert, III
THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE

Dated this 21st day of September, 2006.